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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/846,741 | 05/01/2001 | Jai Rawat | CA1095 | 4472 |
| 23493 | 7590 | 03/20/2006 | EXAMINER | |
| SUGHRUE MION, PLLC 401 Castro Street, Ste 220 Mountain View, CA 94041-2007 | | | SHINGLES, KRISTIE D | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2141 | |

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,741

Applicant(s)

RAWAT ET AL.

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-18, 23-29, 34 and 35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-18, 23-29, 34 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Per Applicant's Request for Continued Examination:

Claims 12, 14, 17, 23, 27 and 28 have been amended.

Claims 11, 19-22 and 30-33 have been cancelled.

Claims 1-10, 12-18, 23-29, 34 and 35 are pending.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/1/2005 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 6, 12 and 23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 2, 6, 9, 10, 12, 13, 18, 23, 26, 29, 34 and 35** are rejected under 35 U.S.C.

102(e) as being anticipated by *Boublik et al* (US Publication 2001/0027420).

a. **Per claim 1**, *Boublik et al* teach a system for capturing electronic receipts, comprising:

- a first computer server receiving electronic correspondence and parsing said electronic correspondence to identify commercial correspondence having commercial data related to a commercial transaction (page 3 paragraphs 0050 and 0052, page 4 paragraph 0067; provision for parser to parse and capture transaction data according to the user's settings); and
- program code residing on said first computer server for creating receipt data by extracting said commercial data from said electronic correspondence (page 3 paragraphs 0058-0060, page 4 paragraph 0067; provision for storing transaction shopping data for access by the user).

b. **Claim 6** contains limitations that are substantially equivalent to claim 1 and is therefore rejected under the same basis.

c. **Per claim 12**, *Boublik et al* teach a system for capturing data from electronic correspondence, comprising:

- a first computer server receiving incoming electronic commerce correspondence to the user (page 3 paragraphs 0050 and 0052);
- a central database having data records accessible to said first computer server (page 3 paragraphs 0058-0060, page 4 paragraph 0067; provision for database for storing transaction shopping data for access by the user);
- program code residing on said first computer server for parsing said electronic correspondence to identify data content (page 3 paragraphs 0050 and 0052, page 4 paragraph 0067; provision for parser to parse and capture transaction data); and

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- additional program code for extracting said data content in accordance with user configurable preferences contained in said data records (page 3 paragraphs 0050 and 0052, page 4 paragraph 0067; provision for parser to parse and capture transaction data according to the user's settings).

d. **Claim 23** contains limitations substantially equivalent to claim 12 and is therefore rejected under the same basis.

e. **Per claim 2**, *Boublik et al* teach the system of Claim 1, wherein said first computer server permits display of receipt data (page 3 paragraphs 0058-0060).

f. **Claim 13** is substantially similar to claim 2 and is therefore rejected under the same basis.

g. **Per claim 9**, *Boublik et al* teach the method of Claim 6, wherein said step of examining comprises the steps of: querying a database of template data; and comparing said electronic correspondence with said template data obtained from said step of querying (page 3 paragraph 0054-0056, page 5 paragraphs 0077-0080).

h. **Claim 26** is substantially similar to claim 9 and is therefore rejected under the same basis.

i. **Per claim 10**, *Boublik et al* teach the method of Claim 6, further comprising the steps of providing a database for storing receipt data; and storing identified commercial data as receipt data in said database (page 3 paragraphs 0058-0060, page 4 paragraphs 0067-0070).

j. **Per claim 18**, *Boublik et al* teach the system of Claim 12, wherein said electronic correspondence contains data content related to an electronic receipt (Abstract, page 3 paragraphs 0050 and 0052).

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k. **Per claim 29**, *Boublik et al* teach the method of Claim 23, wherein said step of examining comprises the step of: extracting data related to an electronic receipt (Abstract, page 3 paragraphs 0050 and 0052).

l. **Per claim 34**, *Boublik et al* teach the system of Claim 12, wherein said central database is encrypted (page 2 paragraphs 0037-0039).

m. **Claim 35** is substantially similar to claim 34 and is therefore rejected under the same basis.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 3-5, 7, 8, 14-17, 24, 25 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Boublik et al* (US Publication 2001/0027420) in view of *Julien* (USPN 6,694,307).

a. **Per claim 3**, *Boublik et al* teach the systems and methods of Claims 1, 6, 12 and 23 as applied above. *Boublik et al* teach the system of Claim 1 comprising a database at said first computer server (page 3 paragraph 0058), yet fail to explicitly teach the system of Claim 1, wherein said first computer server permits alteration of header data of said electronic correspondence in accordance with data records stored in said database. However, *Julien* discloses a system allowing a server to access a database and furthermore permits alteration and

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updates of electronic correspondence header data, which primarily includes address data—i.e. email addresses, fax numbers, postal addresses, etc (col.3 lines 1-62, col.7 lines 20-29, col.9 line 65-col.11 line 17 and col.11 line 21-col.12 line 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Boublik et al* with *Julien* in order to allow for alteration of header data in electronic correspondence for the purpose of keeping information up-to-date and keeping the database current.

b. **Claims 7, 8, 14, 17, 24, 25 and 28** contain limitations substantially similar to Claim 3 and are therefore rejected under the same basis.

c. **Per claim 4**, *Boublik et al* and *Julien* teach the system of Claim 3, *Boublik et al* further teach the system wherein said program code comprises: instructions for storing said receipt data in said database (page 3 paragraph 0058).

d. **Per claim 5**, *Boublik et al* teach the system of Claim 4, wherein said first computer server permits extraction of said receipt data from said database (page 3 paragraph 0058).

e. **Claim 15** is substantially similar to claims 4 and 10 and is therefore rejected under the same basis.

f. **Claim 16** is substantially equivalent to claim 5 and is therefore rejected under the same basis.

7. **Claim 27** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Boublik et al* (US Publication 2001/0027420) in view of *Kramer et al* (USPN 6,324,525).

Per claim 27, *Boublik et al* teach the method of claim 23 as applied above, yet fails to distinctly teach the method of claim 23 further comprising: providing an additional database for storing said data content; and storing said data content in said additional database in accordance with user configurable preferences contained in said data records. However, *Kramer et al* teach the use of additional databases within the database management system that store data according to types of information adhered to in the data records (col.66 lines 19-51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Boublik et al* with *Kramer et al* to allow for an additional database for the purpose of distributive storage wherein data content can be allocated to different databases in the network.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Tognazzini (5,739,512), Moran et al (6,185,542), Ching (6,533,168), Ray et al (6,067,529), Lewis et al (6,233,565), Haller et al (6,026,379), Chasko (6,738,749), Sleeper (6,401,074), Herman et al (6,341,353), Coutts et al (6,311,165), Hoffman (6,543,683).

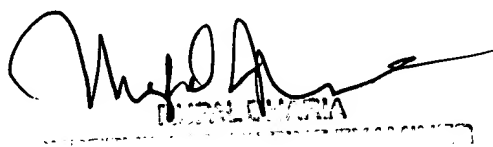
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds



RUPAL DHARIA